

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

SFA SYSTEMS, LLC,	§	
	§	
Plaintiff,	§	
v.	§	
	§	Civil Action No. 6:10-cv-00300-LED
BIGMACHINES, INC.;	§	
BECKMAN COULTER, INC.;	§	JURY DEMANDED
ENTERASYS NETWORKS, INC.;	§	
RICOH AMERICAS CORPORATION;	§	
HYUNDAI MOTOR AMERICA, INC.; and	§	
CARESTREAM HEALTH, INC.,	§	
	§	
Defendants.	§	

**SFA SYSTEMS, LLC’S ANSWER TO THE COUNTERCLAIMS OF  
BIGMACHINES, INC.**

Plaintiff, SFA Systems, LLC (“SFA”) hereby Answers the Counterclaims of Defendant BigMachines, Inc. (“BigMachines”) filed August 18, 2010 (Dkt 30).

**COUNTERCLAIMS**

Unless otherwise addressed herein with an admission, the Plaintiff SFA generally denies all allegations in the Counterclaim. Each specific allegation is addressed as follows:

30. Counterclaim Plaintiff BigMachines, Inc. is a Delaware corporation, with its principal place of business in Illinois.

**ANSWER: Admitted**

31. On information and belief based solely on Paragraph 1 of the Complaint as pled by SFA, SFA is a Texas limited liability company, with its principal place of business located in Texas.

**ANSWER: Admitted**

32. This counterclaim arises under the patent laws of the United States, Title 35, United States Code. The jurisdiction of this Court is proper under at least 38 U.S.C. § 271 *et seq.* and 28 U.S.C. §§ 1331, 1338, 1367, and 2201-02.

**ANSWER: Admitted**

33. Venue is proper in this district pursuant to at least 28 U.S.C. §§ 1391 and 1400. Venue is further proper in the Tyler Division.

**ANSWER: Admitted**

### **COUNT I**

34. Based on SFA's filing of this action and BigMachines' First, Third, Fourth, and Fifth Defenses, an actual controversy has arisen and now exists between the parties as to whether BigMachines infringes the '525 Patent.

**ANSWER: Admitted**

35. Pursuant to Federal Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, BigMachines requests a declaration by the Court that it does not infringe any claim of the '525 Patent under any theory (including directly (whether individually or jointly) or indirectly (whether contributorily or by inducement)).

**ANSWER: Admitted that BigMachines seeks a judicial declaration that it does not infringe any claim of the '525 patent. SFA denies that BigMachines is entitled to such relief.**

### **COUNT II**

36. Based on SFA's filing of this action and BigMachines' Second Defense, an actual controversy has arisen and now exists between the parties as to the validity of the claims of the '525 Patent.

**ANSWER: Admitted.**

37. Pursuant to the Federal Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, and 35 U.S.C. § 100 *et seq.*, BigMachines requests a declaration by the Court that the claims of the '525 Patent are invalid.

**ANSWER: Admitted that BigMachines seeks a judicial declaration that it the claims of the '525 patent are invalid. SFA denies that BigMachines is entitled to such relief.**

Plaintiff SFA denies that BigMachines is entitled to any of the relief requested in connection with its counterclaims.

Dated: September 13, 2010

Respectfully submitted,

**BUETHER JOE & CARPENTER, LLC**

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**ATTORNEYS FOR PLAINTIFF**  
**SFA SYSTEMS, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a) on this 13th day of September 2010. Any other counsel of record will be served by facsimile transmission and first class mail.

/s/ Eric W. Buether

Eric W. Buether